

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

DARRELL K. THOMPSON, et al.,

Plaintiffs,

v.

Hon. Robert J. Jonker

STRYKER CORPORATION, et al.,

Case No. 1:20-cv-01111

Defendants.

**ORDER**

This matter is before the Court on Motion to Withdraw as Attorney of Record (ECF No. 84). Upon review of the motion and related filings, the motion (ECF No. 84) is granted. This matter is stayed for 28 days to allow plaintiffs to retain alternative counsel. If they desire, Plaintiffs Darrell K. Thompson, William T. Holt and Leatha J. Holt may proceed without counsel. Newair Manufacturing, LLC is advised that a limited liability company may not appear in federal court through its members but must be represented by a licensed attorney. *See CapitalPlus Constr. Servs., LLC v. Blucor Contracting, Inc.*, No. 3:19-CV-471, 2020 WL 7053501, at \*2 (E.D. Tenn. Oct. 16, 2020) (“Given that Stodghill is an LLC, the Court admonishes Stodghill that it cannot appear in federal court except through a licensed attorney.”); *Eagle Prop. Grp. LLC v. Urban P’ship Bank*, No. 18-cv-10824, 2018 WL 6843302, at \*3 (E.D. Mich. Oct. 9, 2018) (“Because both a partnership and a corporation must appear through counsel, and because a limited liability company is a hybrid of the partnership and corporate forms, a limited liability company also may appear in federal court only through a licensed attorney.”) (quoting *Lattanzio v. COMTA*, 481 F.3d 137140 (2d Cir. 2007)). Failure of an attorney to file an appearance on behalf of Plaintiff Newair Manufacturing, LLC may result in dismissal.

Attorney Tennyson shall serve a copy of this order on plaintiffs and shall file a proof of service of same by January 12, 2021, including an address and contact information that may be used for future service on plaintiffs.

The scheduling conference set for January 7, 2021 is cancelled and will be rescheduled to a date after the 28 day stay.

IT IS SO ORDERED.

Dated: January 5, 2021

/s/ Sally J. Berens  
SALLY J. BERENS  
U.S. Magistrate Judge